



SECRETARY OF STATE  
STATE OF INDIANA

Todd Rokita  
Secretary of State

September 18, 2009

Re: League of Women Voters of Indiana vs. Todd Rokita. No. 49A02-0901-CV-40

Dear Election Administrator:

In the wake of yesterday's ruling by the Indiana Court of Appeals regarding Indiana's Voter I.D. and absentee balloting laws, my office has received queries from election administrators around the state asking if the ruling is immediately effective and if it will impact upcoming referenda elections. The short answers are: 1) changes in the law would not occur until after the case has been heard by the Indiana Supreme Court and; 2) no changes in training, preparation or procedures for November 2009 referenda voting are called for at this time.

I have asked Attorney General Zoeller to immediately seek transfer of the case to the Indiana Supreme Court, and he and his team have begun their work on that petition. I intend to vigorously defend our state's national model Voter I.D. law before the Indiana Supreme Court. I am in agreement with the Indiana Attorney General that Indiana's Voter ID law is constitutional.

The Court of Appeals ruling is not final and at this time, has no impact on compliance with the Voter I.D. law, absentee balloting procedures, or any procedure in upcoming elections. A ruling of the Court of Appeals does not become effective until it has been certified by the Indiana Supreme Court. Certification cannot occur until parties have had an opportunity to seek transfer to the Indiana Supreme Court. As indicated, a transfer to the Indiana Supreme Court for review is being sought in this case.

Therefore, election administrators should continue to comply with all existing election laws during upcoming elections and until a final ruling from the Indiana Supreme Court has been certified.

Sincerely,

Todd Rokita  
Indiana Secretary of State